



ఆంధ్రప్రదేశ్ రాజపత్రము
THE ANDHRA PRADESH GAZETTE
PUBLISHED BY AUTHORITY

W.No.31

AMARAVATI, WEDNESDAY, AUGUST 9, 2023

G.591

PART II - MISCELLANEOUS NOTIFICATIONS OF INTEREST TO THE PUBLIC

--X--

NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,
CHIEF EXECUTIVE OFFICER,
A. P. STATE WAQF BOARD,

4th FLOOR, IMDADAGHAR, OPP: KALESWARAO MARKET, VIJAYAWADA.

F.No.07/T/PKM/ 2019.

Date: 29-12-2022.

WAQFS - PRAKASHAM DISTRICT - HANUMANTHUNIPADU MANDAL - ASHOORKHANA AND ITS ATTACHED PROPERTIES ARE SITUATED AT DODDICHINTHALA VILLAGE - Sri SHAIK KHALIL AND Sri. SHAIK MASTAN VALI ARE RECOGNIZED AS MUTAWALLIES U/SEC.42 OF THE WAQF ACT, 1995.

- Read :
1. Joint-representaion of Sri. Shaik. Khalil, and Shaik. Masthan Vali, R/o. Doddichinthala (V), Hanumanthunipadu Mandal of Prakasham District, dated: 17-08-2019.
 2. This office memo, dated.23-09-2019 and 31^12-2019.
 3. Report of the I.A.Waqfs,Prakasam District, vide Lr.No.20/Waqf/PKM/19, 21-10-2019 and 08-01-2020.
 4. This Office Notification, dated:22-09-2022
 5. Reports of the I.A.Waqfs,Prakasham District, dated:02-07-2022 along with paper notification publication in Vishalandra Telugu daily District edition of Prakasham, Dated.23-11-2020.
 6. Board's Resolution No. 502/2022, dated: 11-10-2022.
 7. Orders of the Hon'ble Chairperson, APSWB, dated:11-11-2022.
 8. Board's Resolution No.562 of 2022, dated:08-12-2022.
 9. Orders of the Hon'ble Chairperson, APSWB, dated. 17-12-2022.

ORDER:

The Waqf institution namely Ashoorkhana situated at Doddichinthala Village, Hanumunthunipadu Mandal of Prakasham District is a notified Waqf and got published in AP Gazette No.18-A, Part-II, Dated:02-05-1963 at serial No.117 in page No. 102 & 103. The said institution is having attached landed property in TD No. 548 covered in Sy No.221/1 to an extent of Ac.10.24 cts, Sy No.297 to an extent of Ac.12.06 cts total to an extent of Ac.22.30 cts of Doddichinthala Village under the Towliath of Sri.Shaik Hussain Saheb, but as per Survey Commissioner of Waqf report dated. 29-12-1959 the names of the Mutawallie shown as 1.Shaik.Hussain Saheb, 2.Syed Meeran Saheb of Doddichintala. The Rule of Succession to the office of the Mutawalli specified as by custom Hereditary.

In the ref. 1st read above, a joint representation was submitted by Sri. Shaik. Khalil and Sri.Shaik Mastan Vali, with a request to appoint them as Mutawallies to the subject Waqf institution. Accordingly this office has instructed to Inspector Auditor Waqfs, Prakasham District to furnish detail report along with relevant documents in the subject matter vide ref. 2nd read above.

In the ref.3rd read above, the Inspector Auditor Waqfs, Prakasham District has submitted a report and informed that Waqf lands in Sy.No.221/1 to an extent of Ac.10.24 cts land was acquired by the Government through award No.91-92, dated.31-03-1992 and released the compensation amount of Rs. 99,840/- in favour of AP State Waqf Board in the year,1992.

The I.A Waqf, Prakasham District has further reported that the notified Mutawalli of the subject institution i.e Shaik Hussain Saheb was died long Back and his 4th and 5th sons i.e Shaik. Khalil and Shaik Masthan Vali are looking day to day affairs of the Institution and performing Moharram festival every year and furnished death Certificate, family member Certificate of Shaik.Hasan Sahab, death Certificate of Shaik Vali, NOC from Shaik Meera Mohidin, Shaik.Mohiddin and Waqf fund receipts. Finally the I.A Waqs, Prakasham District has recommended the candidature of applicants for appointment of Mutawallies.

As the further course of action, this office has issued paper notification vide ref. 4th read above for calling claims and objections if any for recognition of Sri.Shaik. Khalil and Sri.Shaik Masthan Vali as Mutawallies to the subject Waqf institution and its attached properties may file their claims and objection within a period of (15) days from the date of Publication of this Notification with documentary evidence.

The Inspector Auditor Waqf, Prakasham District has submitted report vide ref.6th read above that the above said paper notification was published in Vishalandra Telugu daily District edition of Prakasham on 23-10-2020 and there were no claims & objections received against the said notification.

The above subject matter was placed before the Board and the Board has passed resolution No.502 of 2022, dated.11-10-2022 vide ref.6th read above to defer the matter to the subsequent Board meeting.

The subject matter was placed before the Board and the Board has passed resolution No.562 of 2022, dated.08-12-2022 vide ref.8th read above to recognize Sri Shaik Khalil and Sri.Shaik Mastan Vali as Mutawallies U/sec.42 of Waqf Act, 1995 for Ashoorkhana and its attached properties at Doddichinthala Village, Hanumanthunipadu Mandal, Prakasham District U/sec. 42 of Waqf Act, 1995.

Accordingly, Sri Shaik Khalil and Sri.Shaik Mastan Vali are hereby recognized as Mutawallies U/sec.42 of Waqf Act, 1995 for Ashoorkhana and its attached properties at Doddichinthala Village, Hanumanthunipadu Mandal, Prakasham District U/sec. 42 of Waqf Act, 1995 for managing the affairs of the subject Waqf Institution by following Waqf Act,1995 and Waqf Rules.

The Mutawallies should discharge his legitimate duties strictly as determined in Section 50 of Waqf Act, 1995 read with Rule 20 of A.P. Waqf Rules, 2000 and should follow the instructions issued by the Board from time to time they should submit the Accounts U/sec.46 of Waqf Act, 1995 and Budget U/sec.44 of Waqf Act, 1995 and pay Waqf fund duly following the provisions laid down U/sec.72 & 77 of Waqf Act, 1995 properly, failing which action will be taken against him U/Sec.61 and 64 of the Waqf Act, 1995 as the duties mentioned below.

- a) To implement the orders issued by the Board from time to time.
- b) To carry out the directions of the Board
- c) To allow inspection of the Inspector Auditor, Waqfs regarding property, accounts, records, deeds and documents relating thereof.
- d) To discharge all public duties.
- e) To do any other Act which he is Lawfully required to do so or under this Act.
- f) He shall render proper and correct accounts of the Institution and its attached properties and shall not suppress any facts.
- g) That the Mutawallies is restricted to grant lease of Waqf property exceeding one year.
- h) The Mutawallies should follow the Norms fixed in Section 56 of the Waqf Act, 1995 while granting Lease of any agricultural lands. He should follow Lease Rules, 2014 to put open auction through A.P. State Waqf Board.

- i) They will not entitled to expend the Monies of Waqf exceeding @ 10% of the Net annual Income.
- j) They shall pay the lease amount to the Board.

As per Sec.101(2) of Waqf Act, 1995, "Every Mutawalli of a Waqf, every member of managing committee whether constituted by the Board or under any deed of Waqf, every Executive Officer and every person holding any office in a Waqf shall also be deemed to be a public servant within the meaning of Sec.21 of the Indian Penal Code". As such, for the illegal acts if any, every member of the committee will be liable for penal action. The Mutawalli shall also noted that Sec.3 (ee) defined encroacher, Sec. 52-Å explain rigorous punishment up to (2) years and Sec.61 speaks penalty and punishment up to (6) months for the lapses / charges shown therein, hence should act carefully diligently and maintain accounts scrupulously

The APSWB reserves its right to modify / cancel / alter / with hold the order at any time without assigning any reasons thereof.

L. ABDUL KHADIR,
Chief Executive Officer ,
Andhra Pradesh State Waqf Board,
Vijayawada.

To

- 1) Sri Shaik Khalil,
- 2) Sri.Shaik Mastan Vali,
Mutawallies of Ashoorkhana, Doddichinthala (V)
Hanumanthunipadu Mandal, Prakasham District
(Through I.A.Waqfs, Praksaham District)

-- X --